

On September 30, 1942, the United States attorney for the District of Massachusetts filed a libel against 25 32-pound cartons of butter at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about September 17, 1942, by the Fairmont Creamery Co. from Sioux City, Iowa; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. The article was labeled in part: (Cartons) "Sweet Clover Brand Butter."

On November 16, 1942, the Fairmont Creamery Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for conversion into butter oil under the supervision of the Food and Drug Administration.

**4343. Adulteration of butter. U. S. v. 41 Cartons of Butter. Consent decree of condemnation. Product ordered delivered to New York Salvage Committee for war purposes.** (F. D. C. No. 8124. Sample No. 17004-F.)

On August 3, 1942, the United States attorney for the Southern District of New York filed a libel against 41 63-pound cartons of butter at New York City, N. Y., alleging that the article had been shipped in interstate commerce on or about July 23, 1942, by the Omaha Cold Storage Co. from Omaha, Nebr., and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: "Douglas Brand Sweet Butter \* \* \* Distributed by Bellevue Creamery & Produce Company, Omaha, Nebraska."

On November 12, 1942, the Bellevue Creamery and Produce Co. of Omaha, Nebr., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to the New York City Salvage Committee to be used for technical war purposes.

**4344. Adulteration of butter. U. S. v. 7 Cases of Butter. Decree of condemnation. Product ordered destroyed.** (F. D. C. No. 8585. Sample No. 2714-F.)

On September 3, 1942, the United States attorney for the District of Kansas filed a libel against 7 cases, each containing 32 1-pound prints of butter, at Kansas City, Kans., alleging that the article had been shipped in interstate commerce on or about July 30, 1942, by the Holden Creamery Co. from Holden, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: (Parchment wrappers) "Clear Brook Creamery Butter. \* \* \* Distributors Wilson & Co."

On September 11, 1942, Wilson & Co., Kansas City, Kans., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered destroyed in such manner as would best serve the public interest. It was converted into grease for technical uses.

**4345. Adulteration of butter. U. S. v. 42 Cases of Butter. Default decree of condemnation. Product ordered sold by marshal.** (F. D. C. No. 8546. Sample No. 21301-F.)

On September 21, 1942, the United States attorney for the Western District of New York filed a libel against 42 30-pound cases of butter at Jamestown, N. Y., alleging that the article had been shipped in interstate commerce on or about September 9, 1942, by the Farmers Marketing Association from Columbus, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. The article was labeled in part: "Cassadaga Valley Brand \* \* \* Butter. Distributed By Jamestown Cold Storage Co., Inc., Jamestown, N. Y."

On October 21, 1942, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be sold by the marshal at public sale according to law. It was sold to the local representative of the Fat Salvage Unit of the War Production Board.

**4346. Adulteration of butter. U. S. v. 288 Boxes of Butter. Consent decree of condemnation. Product ordered released under bond to be made into refined butter oil.** (F. D. C. No. 8542. Sample No. 1532-F.)

On September 15, 1942, the United States attorney for the Northern District of Illinois filed a libel against 288 63-pound boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 2, 1942, by the Plymouth Creamery from Le Mars, Iowa; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On October 26, 1942, L. D. Schreiber & Co., Inc., of Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be converted into butter oil under the supervision of a representative of the Food and Drug Administration.

**4347. Adulteration of butter. U. S. v. 24 Boxes of Butter. Default decree of condemnation. Product ordered sold for nonfood purposes. (F. D. C. No. 8204. Sample No. 1504-F.)**

On July 27, 1942, the United States attorney for the Northern District of Illinois filed a libel against 24 30-pound boxes of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about June 24, 1942, by the Emma Creamery Co. from Emma, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance. The article was labeled in part: "Goldendale."

On November 20, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold on condition that its fat content be disposed of for nonfood purposes.

**4348. Adulteration of butter. U. S. v. 2 Cartons of Butter. Default decree of condemnation. Product ordered sold by marshal. (F. D. C. No. 8544. Sample No. 4655-F.)**

In addition to being deficient in milk fat, this product contained mold.

On September 23, 1942, the United States attorney for the Northern District of Ohio filed a libel against 1 carton, containing 32 1-pound rolls, and 1 carton containing 16 2-pound rolls, of butter at Massillon, Ohio, alleging that the article had been shipped in interstate commerce on or about September 12, 1942, by Schlosser Bros. from Frankfort, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance, and in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: "Country Maid."

On November 5, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered sold by the marshal. It was sold to a rendering plant to be converted into inedible fat.

**4349. Adulteration of butter. U. S. v. 13 Cartons of Butter (and 4 additional seizure actions against butter). Consent decrees of condemnation. Product ordered released under bond, portions to be reworked and remainder to be refined into butter oil, or neutral oil. (F. D. C. Nos. 8213, 8328, 8408, 8511, 8513. Sample Nos. 1503-F, 1507-F, 1521-F, 19491-F, 19642-F.)**

Portions of this product contained mold, other portions were deficient in milk fat, and in one lot both conditions were found.

Between July 27 and September 1, 1942, the United States attorneys for the District of Massachusetts, Northern District of Illinois, and District of New Hampshire, filed libels against 13 cartons of butter at Brockton, Mass., 387 boxes of butter at Chicago, Ill., 13 cartons and 47 cartons of butter at Nashua, N. H., alleging that the article had been shipped in interstate commerce within the period from on or about July 6 to on or about August 19, 1942, by the Cudahy Packing Co. from Washington Court House, Ohio, South Omaha, Nebr., Nashville, Tenn., and Fairmount, N. Dak.; and charging that it was adulterated. Portions of the article were labeled in part: "Daisy Maid Creamery Butter."

Portions of the article were alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. One of the lots was low in milk fat and all of the remaining lots consisted in whole or in part of a filthy, putrid, or decomposed substance.

Between August 18 and October 23, 1942, the Cudahy Packing Co., claimant, having admitted the allegations of the libels, judgments of condemnation were entered and the product was ordered released under bond, conditioned that the portions that were low in milk fat only be reworked and that the remaining lots be refined into butter oil or neutral oil, under the supervision of the Food and Drug Administration.

Nos. 4350 to 4354 (also 4348 and 4349) report actions based on shipments of butter that was found to be deficient in milk fat.